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TC 3800

Marshall, Gerstein & Borun
6300 Sears Tower
233 South Wacker
Chicago, IL 60606-6357

In re Application of
Jimmy Randolph Lewis et al.
Application No. 09/754,762
Filed: January 4, 2001
For: METHOD AND APPARATUS FOR
FILLING STOCK ORDERS

:
:
DECISION ON PETITION
:
TO WITHDRAW THE
:
HOLDING OF ABANDONMENT
:

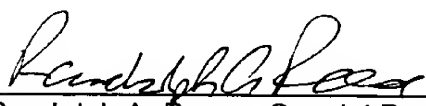
This is in response to applicants' petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on February 20, 2003 and supplemented on June 4, 2003.

The petition is **GRANTED**.

A review of the file record indicates that an Office action was mailed to applicants on August 15, 2002 wherein a one-month shortened statutory period for response was set. Since no timely response to the August 15, 2002 Office action was received, the application was held to be abandoned, although a Notice of abandonment has not yet been mailed.

Applicants' petition includes a copy of a response bearing a Certificate of Facsimile Transmittal date of September 16, 2002. A statement by Brent E. Matthias was received on June 4, 2003, which attests to the personal knowledge of the transmission of the response on the date indicated on the Certificate of Facsimile Transmittal. This is sufficient evidence of a timely response.

Since a timely response to the Office action was filed, the holding of abandonment is withdrawn and the application is restored to pending status. The application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the response filed with the petition, and then to the Examiner for prompt action on the merits of the application.


Randolph A. Reese, Special Programs Examiner
Patent Technology Center 3600
Telephone No.: (703) 308-2121
Facsimile No.: (703) 605-0586

RAR/tpl: 6/9/03